

## **May 2006 Unified Program Newsletter**

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### **California Environmental Protection Agency**

#### **Final Evaluation Reports Posted**

The Unified Program Section has cleared most of the backlog of evaluation reports from 2005 and are up to date on the 2006 evaluation reports. A total of 31 final reports have been sent out to date and there are 11 more in process. Those CUPAs that were found to have deficiencies have been requested to begin providing quarterly status reports. The results of a CUPA's evaluation and the final evaluation report will be posted on the [Unified Program web site](#) along with the quarterly status reports and the final report showing correction of all deficiencies. The web site modifications are almost finished and the postings are expected to be up in about 2 weeks. As time and resources permit, we will be scanning the earlier evaluations (2004 and earlier) and posting these also. The contact for general evaluation status is Loretta Sylve at (916) 327-9558 or [lsylve@calepa.ca.gov](mailto:lsylve@calepa.ca.gov). The Cal/EPA Evaluation Team Leader coordinating the evaluation will be the CUPA liaison for specific evaluation questions.

#### **Violation Classification Guidance**

The Violation Classification Work Group is working to finalize the guidance document that was presented at the 2006 Unified Program Training Conference using the comments received at the conference. Lead on the work group has changed to Loretta Sylve. If you are interested in further information, contact Loretta at (916) 327-9558 or [lsylve@calepa.ca.gov](mailto:lsylve@calepa.ca.gov).

#### **Administrative Enforcement Order Guidance**

The AEO Work Group is continuing to review proposed changes to the guidance and forms. Lead on the work group has changed to Robbie Morris who can be reached at (916) 327-9560 or [rmorris@calepa.ca.gov](mailto:rmorris@calepa.ca.gov).

### **State Water Resources Control Board**

#### **ICC CA UST Inspector Status Survey**

In cooperation with the CUPA Forum Board, the State Water Resources Control Board (State Water Board) is gathering statewide information on the number of local agency employees who are conducting UST inspections and possess an ICC CA UST Inspector certification. On February 1, we sent an email to

the CUPA Single-Point of Contact (SPOC) requesting this information for their jurisdiction by February 28. To date, the State Water Board has received 89 responses to the Survey. State Water Board staff and UST Issue Coordinators will work with the remaining 10 CUPA programs who have not responded to obtain the requested information.

UST Program Contact: John Elkins ([jelkins@waterboards.ca.gov](mailto:jelkins@waterboards.ca.gov); 916-341-5668).

### **Single-Walled UST Survey**

On September 22, in cooperation with the CUPA Forum Board, the State Water Resources Control Board (State Water Board) sent each local agency a survey to gather information on the number of UST facilities with single-walled UST systems (SW tanks with SW piping, SW tanks with DW piping, and/or DW tanks with SW piping). Additionally, information was requested on the number of SW UST systems that serve as the only fueling location for large rural geographical areas. To date, the State Water Board has received 91 responses to the Survey. State Water Board staff and UST Issue Coordinators will work with the remaining 8 CUPA programs who have not responded to obtain the requested information.

UST Program Contact: John Elkins ([jelkins@waterboards.ca.gov](mailto:jelkins@waterboards.ca.gov); 916-341-5668).

### **ICC Certification Status**

As of March 31, 2006, a total of 440 persons had obtained ICC UST Inspector Certificates. We recommend that, when an UST inspector signs UST facility inspection reports, the inspector also include his or her ICC UST Inspector Certificate number. Other ICC California UST programs: Designated UST Operators -3757; UST Service Technicians -898; UST Installers with a California address - 591.

UST Program Contact: Laura Chaddock ([lchaddock@waterboards.ca.gov](mailto:lchaddock@waterboards.ca.gov); 916-341-5870).

### **CUPA Quarterly Reporting (Report 6)**

For the July-September 2005 quarter, 83 CUPAs and PAs (81% of the 103 CUPAs/PAs) submitted quarterly reports (Report 6, Title 27 regulations). UST inspections for Significant Operational Compliance (SOC) totaled 3,074, compared to the previous quarter's 3,685 inspections. Local agencies reported that 83% of inspected facilities were in SOC with release detection requirements, 87% were in SOC with release prevention requirements, and 80% were in SOC with both release detection and release prevention requirements. CUPAs issued 29 Red Tags issued during this quarter.

As of September 30, 2005, there were 16,165 UST facilities; 38,326 active and 121,798 closed petroleum USTs; 3,460 active and 20,016 closed hazardous waste USTs. During this quarter, the following closures occurred: 164 UST facilities, 252 petroleum USTs, and 62 hazardous waste USTs.

As of April 19th, 2006, 69 agencies have submitted reports for the October-December 2005 quarter. The cutoff date for submittal of Report 6 data for the October-December quarter is April 27, 2006. After this date, State Water Board staff will not update the Report 6 data for non-responding agencies until the January-March 2006 quarter's Report 6 results are submitted.

UST Program Contact: Terry Snyder ([tsnyder@waterboards.ca.gov](mailto:tsnyder@waterboards.ca.gov); 916-341-5385)

### **UST Program – UST Regulatory Compliance Inspection Training**

This one-day workshop will focus on UST operational compliance as outlined in the California Health and Safety Code, Chapter 6.7 and Title 23, Chapter 16, California Code of Regulations. Topics that will be discussed include: (1) types of UST design and construction; (2) leak detection methods and equipment maintenance; (3) record keeping; (4) monitoring and response plans; and (5) financial responsibility requirements. In addition, this workshop will discuss new UST requirements such as vacuum, pressure, and hydrostatic methods of monitoring and product-tight containment. This workshop is intended for UST inspectors and owners/operators. **Preference will be given to UST inspectors.** The May classes are as follows: May 15, 2006- Redding; May 23, San Luis Obispo. For more information, go to the UST web site: [http://www.waterboards.ca.gov/ust/training/2005\\_2006.html](http://www.waterboards.ca.gov/ust/training/2005_2006.html)

UST Program Contact: John Elkins ([jelkins@waterboards.ca.gov](mailto:jelkins@waterboards.ca.gov); 916-341-5668).

## **Department of Toxic Substances Control**

### **DTSC's Proposed Regulations for UPA Corrective Action Qualifications**

DTSC has issued proposed regulations that establish corrective action qualifications for Unified Program Agencies (UPAs). The proposed regulations establish qualifications and a procedure for determining whether UPAs are qualified to implement corrective action at facilities under their jurisdiction. DTSC must adopt the regulations to provide to UPAs authority for environmental assessment and corrective action at their facilities. The criteria in the proposed regulations are based on DTSC's personnel qualifications and corrective action procedures.

The public notice and text of the proposed regulations may be viewed at DTSC's website at <http://www.dtsc.ca.gov> under "Laws, Regulations and Policies." DTSC held a public hearing on the proposed regulations on November 28, 2005. The final regulation package was completed and submitted to the Office of Administrative Law. However, in response to comments from the Office of Administrative Law, DTSC made minor non-substantive changes to the regulations and made these changes available for a 15-day public comment period. The 15-day public notice period will end May 15, 2006. Written comments regarding only the changes to the regulation may be submitted to Ms. Joan Ferber, Regulations Coordinator, Environmental Analysis and Regulations Section, Department of Toxic Substances Control, P.O. Box 806, Sacramento, CA 95812-0806, or to [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov) no later than 5:00 p.m. on May 15, 2006.

Inquiries regarding technical aspects of the proposed regulations may be directed to Nancy Ostrom of DTSC at (916) 324-3385 or to Karl Palmer of DTSC at (915) 445-2625. To be included in this regulation package's mailing list, and to receive updates of this rulemaking, please leave a message on the DTSC mailing list phone line at (916) 324-9933, submit an e-mail message to [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov), or submit a message to the listserv for these proposed regulations at [www.calepa.ca.gov/Listservs/dtsc](http://www.calepa.ca.gov/Listservs/dtsc).

## **Office of Emergency Services**

### **Training Workshop**

OES Hazmat Unit, Central CUPA Forum is sponsoring a one day course covering the following:

- ~ BASIC overview of the Business Plan
- ~ Spill/Release Reporting
- ~ California Accidental Release Prevention (CalARP) programs.

This training workshop will be offered on August 16<sup>th</sup>, 2006 from 9:00am to 4:00pm at South Clovis Veteran's Memorial Building, 453 Hughes, Clovis, CA 93612.

There is a maximum attendance of 100 people and the registration deadline is August 11<sup>th</sup>, 2006.

If interested contact Vincent Mendes at (559)445-3271 or [VMendes@co.fresno.ca.us](mailto:VMendes@co.fresno.ca.us)

### **Area Plan Workshop**

OES HazMat Unit, LEPC II is co-sponsoring a free one-day course covering the following:

- ~BASIC overview of the Area Plan Requirements
- ~ Area Plan Forum Discussion & Exercise
- ~ HMEP Grant Requirements and Protocols

The training workshop is offered on May 30, 2006 from 9:00am to 4:00pm at Hayward City Hall (walking distance from Hayward BART) 777 "B" Street, Room 2A Hayward, CA 94541.

The registration deadline is May 19, 2006. If interested contact Diana Melroe at (916)845-8778 or

[Diana.Melroe@oes.ca.gov](mailto:Diana.Melroe@oes.ca.gov)

## **Office of the State Fire Marshal**

### **Governor Schwarzenegger Appoints Director and Chief Deputy Director of Department of Forestry and Fire Protection**

On April 21, 2006, Governor Arnold Schwarzenegger announced the appointment of Ruben Grijalva, State Fire Marshal, as Director of the Department of Forestry and Fire Protection and Crawford Tuttle as the Chief Deputy Director.

Grijalva, 50, of San Jose, has served as Acting Director since January, 2006. He was appointed State Fire Marshal by Governor Schwarzenegger in 2004 and is currently chair of the State Board of Fire Services. Grijalva was previously the Fire Chief for the City of Palo Alto Fire Department from 1994 to 2004. He also served as Assistant Fire Chief from 1990 to 1994. Prior to that, he served in the Department of Public Safety for the City of Sunnyvale from 1976 to 1990, where he was Fire Marshal from 1985 to 1990. He is past president of the Fire Chiefs Department for the League of California Cities, past president of the Santa Clara County Fire Chief's Association and a former member of the Uniform Fire Code Committee for the International Fire Code Institute. He is a member of the California Fire Chiefs Association and the International Association of Fire Chiefs.

Tuttle, 46, of Sacramento, has served as Deputy Secretary for External Affairs at the Resources Agency since 2004. Tuttle was previously a vice-president at Source Healthcare Systems from 1999 to 2004, Deputy Secretary of the California Environmental Protection Agency from 1996 to 1999 and served as California's Washington representative, acting as the state's chief liaison to Congress and to the Clinton Administration from 1994 to 1996. He was also a policy and budget analyst for the U.S. Office of Management and Budget and a senior legislative assistant for U.S. Representative Norman Shumway.

### **Building Standards and NFPA 25 Out for Review and Comment**

Code Development and Fire and Life Safety staff reviewed the code change proposals for the new ICC codes in preparation for submittal to Building Standards on May 1<sup>st</sup>. The OSFM's amended NFPA 25 document is out for review and comment. Comments were due to OSFM by April 28 and the new document is expected to be adopted and effective by December. The OSFM Fire Extinguisher Workgroup met on April 18 to review Chapter 3 of Title 19 and recommend areas needing further review and cleanup. For more information regarding the department, visit

<http://osfm.fire.ca.gov/CodeAdoptionProcess.html>

**The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).**

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